

SENATE JOURNAL
FIRST SPECIAL SESSION OF THE
FIFTY–EIGHTH LEGISLATURE

May 20, 2009

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr, the Senate of the Fifty–Eighth Legislature of the State of Utah met in the Senate Chamber of the State Capitol in a Special Session at 2:00 p.m. on Wednesday, May 20, 2009.

The Senate was called to order at 2:35 p.m., with President Michael Waddoups presiding.

Prayer – Senator John Valentine

Pledge of Allegiance – Senator Brent Goodfellow

Roll Call – All Senators present except Senator McCoy, excused.

Annette B. Moore read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the adjournment of the 2009 General Session of the Fifty–Eighth Legislature of the State of Utah, matters have arisen that require immediate legislative attention; and,

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into Special Session;

NOW, THEREFORE, I, Jon M. Huntsman, Jr., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the laws of the State of Utah, do by this Proclamation call the Fifty–Eighth Legislature of the State of Utah into a First Special Session at the Utah State Capitol, in Salt Lake City, Utah, on the 20th day of May 2009, at 2:00 p.m., for the following purposes:

1. To make appropriations contained in Section 15, 2009 General Session HB 2, Minimum School Program Budget Amendments, effective in FY 2009, and reallocate education stabilization funds appropriated from the American Recovery and Reinvestment Act.

2. To address Medicaid Hospital Provider rates for FY 2010.
3. To adjust funding to the Departments of Health and Human Services, including the Division of Juvenile Justice Services, to offset the Federal Medicaid Assistance Program estimates for FY 2009.
4. To adjust appropriations related to funding from Federal Funds – American Recovery and Reinvestment Act of 2009.
5. To appropriate funds to and from General Fund Restricted Accounts and budget line items that had been reclassified from Restricted Special Revenue Funds in the 2009 General Session HB 391, Budgetary Procedures Act Revisions.
6. To move funding for the Housing Grant Program from the Finance Mandated Line Item to the Housing Relief Restricted Special Revenue Fund and to change the effective date of the appropriation from FY 2010 to FY 2009.
7. To balance transfers among the General Fund, Education Fund, and Uniform School Funds in FY 2009 and to correct an FY 2010 transfer from the Education Fund to the Uniform School Fund in 2009 General Session SB 3, Appropriations Adjustments, Item 175.
8. To accelerate from FY 2010 to FY 2009 transfers between the Severance Tax Holding Account and the General Fund.
9. To adjust the disposition of the motor vehicle registration fee revenue increase enacted by 2009 General Session SB 239, Transportation Revisions.
10. To appropriate funds to cover the cost of implementation of SB 230, Construction Payment Amendments that passed during the 2009 General Session after the Bill of Bills.
11. To advise and consent to the Governor's appointments transmitted to the Senate pursuant to Utah Code Ann. Sections 67-1-1 and 67-1-2.
12. To make technical corrections to public and legal notice requirements, including renumbering sections and subsections, and to restore language in the Open and

Public Meetings Act and the Division of Oil, Gas, and Mining Notice Requirements.

13. To authorize the State Treasurer to apportion up to \$1.2 million in Forest Service special projects payments directly to county special service districts from Title III of the Secure Rural Schools and Community Self Determination Act.
14. To modify the Employment Selection Procedures Act to permit an employer to request information from an applicant to review the employer's internal records for employment related actions or to provide a governmental agency with information related to a governmental program, service, or benefit; and to clarify when information may be disclosed by an employer as required by law.
15. To consider whether an owner of agricultural land within a less populated county should, under limited circumstances, be authorized to create a minor subdivision regardless of local planning and zoning.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the State Capitol in Salt Lake
City, Utah, this 15th day of
May, 2009.

Jon M. Huntsman, Jr.
Governor
Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a proclamation issued under the date of May 15th, 2009, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamations calling the Fifty-Eighth Legislature of the State of Utah into a First Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 20th day of May, 2009, at 2:00 p.m., for the purposes named in the Proclamations.

I FURTHER TESTIFY THAT the membership of the Utah State Senate has not changed from that Certification of the 2009 General Session.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah at Salt
Lake City, this 18th day of May,
2009.

Gary R. Herbert
Lieutenant Governor

* * *

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2009 General Session of the Fifty–Eighth Legislature as the rules for the First Special Session.

President Waddoups appointed a committee comprised of Senators Dennis Stowell, Dan Liljenquist, and Luz Robles to notify Governor Jon M. Huntsman, Jr. that the Senate is convened in the First Special Session in accordance with his proclamation and is organized and ready to receive any communication from him.

President Waddoups appointed a committee comprised of Senators Wayne Niederhauser, Howard Stephenson, and Karen Morgan to notify the House of Representatives that the Senate is organized and ready to do business.

Senator Niederhauser reported that the House has been notified.

Senator Stowell reported that the Governor has been notified.

On motion of Senator Dayton, and as provided by the Utah State Constitution and the Joint Rules of the Legislature, the Senate voted to suspend the reading of the titles of bills and resolutions on the Senate calendar as they are read for the first time and introduced and considered on Second Reading, Third Reading, and Consent Calendars. This suspension applies to all bills and resolutions introduced during this special legislative session, except that any senator may request the reading of the long title, short title, or both of any House of Senate bill or resolution.

INTRODUCTION OF BILLS

S.B. 1001, Forest Reserve Fund Amendments (R. Okerlund), read the first time by short title and referred to the Rules Committee.

S.B. 1002, Legal Notice Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

S.B. 1003, Disposition of Registration Fee Revenues (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 1004, Supplemental Appropriations Adjustments (L. Hillyard), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Killpack, under suspension of the rules, the Senate voted to place **S.B. 1001, S.B. 1002, S.B. 1003, and S.B. 1004** on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President:

May 20, 2009

The House passed **H.B. 1001, SUBDIVISION APPROVAL AMENDMENTS**, by Representative R. C. Webb, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 1001** was read the first time and referred to the Rules Committee.

* * *

On motion of Senator Killpack, under suspension of the rules, the Senate voted to lift **H.B. 1001** from Rules and place it at the bottom of the Second Reading Calendar.

SECOND READING CALENDAR

S.B. 1001, FOREST RESERVE FUND AMENDMENTS, was read the second time. Senator Okerlund explained the bill.

On motion of Senator Okerlund, the following substitute bill replaced the original bill:

1st Sub. S.B. 1001 Forest Reserve Fund Amendments (R. Okerlund)

On motion of Senator Okerlund, under suspension of the rules, **1st Sub. S.B. 1001, FOREST RESERVE FUND AMENDMENTS**, was considered read

the second and third times. Senator Okerlund explained the bill. Senator Valentine commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Dayton
Goodfellow	Greiner	Hillyard	Hinkins
Jenkins	Jones	Killpack	Knudson
Liljenquist	Madsen	Mayne	Morgan
Niederhauser	Okerlund	Robles	Romero
Stephenson	Stowell	Urquhart	Valentine
Van Tassell	Waddoups		

Absent or not voting were: Senators

Bell	Davis	McCoy
------	-------	-------

1st Sub. S.B. 1001 was transmitted to the House.

* * *

S.B. 1002, LEGAL NOTICE AMENDMENTS, was read the second time. Senator Urquhart explained the bill.

On motion of Senator Urquhart, the following substitute bill replaced the original bill:

1st Sub. S.B. 1002 Legal Notice Amendments (S. Urquhart)

On motion of Senator Urquhart, under suspension of the rules, **1st Sub. S.B. 1002**, LEGAL NOTICE AMENDMENTS, was considered read the second and third times. Senator Urquhart explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dayton	Goodfellow	Greiner	Hillyard
Hinkins	Jenkins	Jones	Killpack
Knudson	Liljenquist	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Urquhart
Valentine	Van Tassell	Waddoups	

Absent or not voting were: Senators

Bell McCoy

1st Sub. S.B. 1002 was transmitted to the House.

* * *

On motion of Senator Killpack, under suspension of the rules, **S.B. 1003**, DISPOSITION OF REGISTRATION FEE REVENUES, was considered read the second and third times. Senator Killpack explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.**Voting in the affirmative were:** Senators

Bramble	Buttars	Christensen	Davis
Dayton	Goodfellow	Greiner	Hillyard
Hinkins	Jenkins	Jones	Killpack
Knudson	Liljenquist	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Urquhart
Valentine	Van Tassell	Waddoups	

Absent or not voting were: Senators

Bell McCoy

S.B. 1003 was transmitted to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, **S.B. 1004**, SUPPLEMENTAL APPROPRIATIONS ADJUSTMENTS, was considered read the second and third times. Senator Hillyard explained the bill. Senator Urquhart commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.**Voting in the affirmative were:** Senators

Bramble	Buttars	Christensen	Davis
Dayton	Goodfellow	Greiner	Hillyard
Hinkins	Jenkins	Jones	Killpack
Knudson	Liljenquist	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Urquhart
Valentine	Van Tassell	Waddoups	

Absent or not voting were: Senators

Bell McCoy

S.B. 1004 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President:

May 20, 2009

The House passed, as substituted, **1st Sub. H.B. 1002**, CONDITIONS FOR REQUESTING AND DISCLOSING INFORMATION UNDER EMPLOYMENT SELECTION PROCEDURES ACT, by Representative W. Harper, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 1002** was read the first time and referred to the Rules Committee.

On motion of Senator Killpack, under suspension of the rules, the Senate voted to lift **1st Sub. H.B. 1002** from Rules and place it at the bottom of the Second Reading Calendar.

ADVISE AND CONSENT

COMMUNICATIONS FROM THE GOVERNOR

Mr. President:

May 5, 2009

In accordance with Utah Code Ann. 67-1-1 and 67-1-2, I propose and transmit the following appointments:

State Money Management Council:

Mark D. Watkins is appointed to replace Bruce Cohne as a member of the State Money Management Council, a term to expire on March 1, 2011. See Utah Code Ann. 51-7-16.

Mark O. McRae is appointed to replace Daniel A. Mule as a member of the State Money Management Council, a term to expire on March 1, 2011. See Utah Code Ann. 51-7-16.

Mark A. Altom is reappointed as a member of the State Money Management Council, a term to expire on March 1, 2013. See Utah Code Ann. 51-7-16.

Charles Richard Schwarz is reappointed as a member of the State Money Management Council, a term to expire on March 1, 2013. See Utah Code Ann. 51-7-16.

William W. Wallace is reappointed as a member of the State Money Management Council, a term to expire on March 1, 2013. See Utah Code Ann. 51-7-16.

Defined Contribution Risk Adjustor Board:

S. David Jackson is appointed as a member of the Defined Contribution Risk Adjustor Board, a term to expire on May 20, 2011. See Utah Code Ann. 31A-42-201.

Dennis Kunimura is appointed as a member of the Defined Contribution Risk Adjustor Board, a term to expire on May 20, 2011. See Utah Code Ann. 31A-42-201.

James D. Pinkerton is appointed as a member of the Defined Contribution Risk Adjustor Board, a term to expire on May 20, 2011. See Utah Code Ann. 31A-42-201.

Mark A. Brown is appointed as a member of the Defined Contribution Risk Adjustor Board, a term to expire on May 20, 2013. See Utah Code Ann. 31A-42-201.

Norman K. Thurston is appointed as a member of the Defined Contribution Risk Adjustor Board, a term to expire on May 20, 2013. See Utah Code Ann. 31A-42-201.

Tanji J. Northrup is appointed as a member of the Defined Contribution Risk Adjustor Board, a term to expire on May 20, 2013. See Utah Code Ann. 31A-42-201.

Board of State History:

Dr. Deanne Matheny is appointed to replace Claudia Berry as a member of the Board of State History, a term to expire on April 1, 2013. See Utah Code Ann. 9-8-204.

Quality Growth Commission:

Charles R. Duboc, Jr. is appointed to replace Kent Mitchell as a member of the Quality Growth Commission, a term to expire on April 15, 2011. See Utah Code Ann. 11-38-201.

David Mansell is appointed to replace Jaren L. Davis as a member of the Quality Growth Commission, a term to expire on April 15, 2013. See Utah Code Ann. 11-38-201.

JT Martin is appointed to replace Mayor Darrell H. Smith as a member of the Quality Growth Commission, a term to expire on March 1, 2013. See Utah Code Ann. 11-38-201.

Michael L. Kohler is reappointed as a member of the Quality Growth Commission, a term to expire on March 1, 2013. See Utah Code Ann. 11–38–201.

Flint F. Richards is reappointed as a member of the Quality Growth Commission, a term to expire on March 1, 2013. See Utah Code Ann. 11–38–201.

Crime Victim Reparations Board:

Rodney G. Snow is reappointed as a member of the Crime Victim Reparations Board, a term to expire on April 15, 2013. See Utah Code Ann. 63–25a–404.

Gretchen McNees is appointed to replace Louis S. Speth as a member of the Crime Victim Reparations Board, a term to expire on April 15, 2013. See Utah Code Ann. 63–25a–404 .

Loydene Hubbard Berg is appointed to replace Karen Watkins as a member of the Crime Victim Reparations Board, a term to expire on April 15, 2013. See Utah Code Ann. 63–25a–404 .

Upper Sevier Water Conservancy District Board of Directors:

Deven Gass is appointed to replace Chris Fullmer as a member of the Upper Sevier Water Conservancy District Board of Directors, a term to expire on January 2, 2013. See Utah Code Ann. 17A–2–1409.

Delin Garn Roundy is appointed to replace Sheldon Proctor as a member of the Upper Sevier Water Conservancy District Board of Directors, a term to expire on January 2, 2012. See Utah Code Ann. 17A–2–1409.

S. Leland Riggs is reappointed as a member of the Upper Sevier Water Conservancy District Board of Directors, a term to expire on January 2, 2012. See Utah Code Ann. 17A–2–1409.

Utah Commission on Uniform State Laws:

Representative Lorie D. Fowlke is appointed to replace Rep. Greg Curtis as a member of the Utah Commission on Uniform State Laws, a term to expire on July 1, 2013. See Utah Code Ann. 68–4–5.

Solid and Hazardous Waste Control Board:

Larry A. Ellertson is appointed to replace Craig W. Anderson as a member of the Solid and Hazardous Waste Control Board, a term to expire on May 8, 2013. See Utah Code Ann. 19–6–103.

Brad Mertz is appointed to replace Craig Forster as a member of the Solid and Hazardous Waste Control Board, a term to expire on May 8, 2013. See Utah Code Ann. 19–6–103.

Air Quality Board:

Dr. Robert Paine is appointed to replace Dr. Wayne M. Samuelson as a member of the Air Quality Board, a term to expire on March 1, 2011. See Utah Code Ann. 19-2-103.

Utah State Retirement Board:

Jay R. Blain is appointed to replace Phyllis Sorenson as a member of the Utah State Retirement Board, a term to expire on July 1, 2011. See Utah Code Ann. 49-11-202.

Water Quality Board:

Darrel H. Mensel is reappointed as a member of the Water Quality Board, a term to expire on March 1, 2013. See Utah Code Ann. 19-5-103.

Gregory Leonard Rowley is reappointed as a member of the Water Quality Board, a term to expire on March 1, 2013. See Utah Code Ann. 19-5-103.

Paula Haye Doughty is reappointed as a member of the Water Quality Board, a term to expire on March 1, 2013. See Utah Code Ann. 19-5-103.

Merritt Karen Frey is reappointed as a member of the Water Quality Board, a term to expire on March 1, 2013. See Utah Code Ann. 19-5-103.

Mayor Lou Ann Newell Christensen is appointed to replace Mayor Joe L. Piccolo as a member of the Water Quality Board, a term to expire on March 1, 2013. See Utah Code Ann. 19-5-103.

Board of Business and Economic Development:

Robert G. Adams is appointed to replace Bill Boyle as a member of the Board of Business and Economic Development, a term to expire on March 15, 2013. See Utah Code Ann. 63-38f-302.

Peter Mouskondis is appointed to replace Richard R. Nelson as a member of the Board of Business and Economic Development, a term to expire on March 15, 2013. See Utah Code Ann. 63-38f-302.

Wildlife Board:

William N. Fenimore is appointed to replace Lee E. Howard as a member of the Wildlife Board, a term to expire on August 15, 2015. See Utah Code Ann. 23-14-2.

Gary Jake Albrecht is appointed to replace Paul Niemeyer as a member of the Wildlife Board, a term to expire on August 15, 2015. See Utah Code Ann. 23-14-2.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Hillyard, the Senate voted to approve the appointments read by Leslie McLean on the following roll call vote:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dayton	Goodfellow	Greiner	Hillyard
Hinkins	Jenkins	Jones	Killpack
Knudson	Liljenquist	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Urquhart
Valentine	Van Tassell	Waddoups	

Absent or not voting were: Senators

Bell McCoy

SECOND READING CALENDAR

On motion of Senator Urquhart, under suspension of the rules, **H.B. 1001**, SUBDIVISION APPROVAL AMENDMENTS, was considered read the second and third times. Senator Hinkins commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dayton	Goodfellow	Greiner	Hillyard
Hinkins	Jenkins	Jones	Killpack
Knudson	Liljenquist	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Urquhart
Valentine	Van Tassell	Waddoups	

Absent or not voting were: Senators

Bell McCoy

H.B. 1001 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Mayne, under suspension of the rules, **1st Sub. H.B. 1002**, CONDITIONS FOR REQUESTING AND DISCLOSING INFORMATION UNDER EMPLOYMENT SELECTION PROCEDURES ACT, was considered read the second and third times. Senator Valentine commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dayton	Goodfellow	Greiner	Hillyard
Hinkins	Jenkins	Jones	Killpack
Knudson	Liljenquist	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Urquhart
Valentine	Van Tassell	Waddoups	

Absent or not voting were: Senators

Bell	McCoy
------	-------

1st Sub. H.B. 1002 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, and at 3:30 p.m., the Senate sauntered.

The Senate was called to order at 4:00 p.m., with President Waddoups presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President:

May 20, 2009

The House passed **H.B. 1003**, APPROPRIATIONS ADJUSTMENTS RELATED TO FEDERAL FUNDS, by Representative R. Bigelow, with the following amendments:

1. Page 2, Line 43:
Delete “(2,000,000)” and insert “(2,500,000)”
2. Page 2, Line 45:
Delete “(2,000,000)” and insert “(2,500,000)”

3. Page 3, Line 86:
Delete “2,937,500” and insert “2,437,500”
4. Page 3, Line 89:
Delete “2,462,500” and insert “2,962,500”
5. Page 5, Line 150:
After Line 150 insert:
“ECONOMIC DEVELOPMENT AND REVENUE
DEPARTMENT OF COMMUNITY AND CULTURE
ITEM 14A To Department of Community and Culture – Housing
and Community Development
From General Fund, One–time (500,000)
From Federal Funds – American Recovery and Reinvestment
Act 500,000
The Legislature intends that \$500,000 appropriated by this item
to the Huntsman Cancer Center from Federal Funds – American
Recovery and Reinvestment Act of 2009 shall come from the
General State Fiscal Stabilization Program.”
6. Page 5, Line 153:
After Line 153 insert:
“From General Fund, One–time 1,000,000
From Federal Funds 2,000,000”
7. Page 5, Line 156:
Delete “6,572,600” and insert “9,572,600”
8. Page 4, Line 114:
After Line 114 insert:
“ITEM 11A To Department of Human Services – Division of Aging
and Adult Services
From Federal Funds – American Recovery and Reinvestment
Act 35,300
Schedule of Programs:
Non–Formula Funds 35,300”
9. Page 4, Line 139:
After Line 139 insert:
“TRANSPORTATION & ENVIRONMENTAL QUALITY
DEPARTMENT OF TRANSPORTATION
ITEM 13A To Department of Transportation – Construction
Management

From Federal Funds – American Recovery and Reinvestment
Act 64,045,200
Schedule of Programs:
State Construction – New 64,045,200”

10. Page 5, Line 151:

After Line 151 insert:

“DEPARTMENT OF HEALTH

ITEM 14A To Department of Health – Community and Family
Health Services

From Federal Funds – American Recovery and Reinvestment
Act 3,011,200

Schedule of Programs:

Director’s Office 3,011,200

ITEM 14B To Department of Health – Executive Director’s
Operations

From Federal Funds – American Recovery and Reinvestment
Act 1,230,000

Schedule of Programs:

Executive Director 1,230,000

All General Funds appropriated to the Department of Health –
Executive Director’s Operations line item are contingent upon
expenditures from Federal Funds – American Recovery and
Reinvestment Act (H.R. 1, 111th United States Congress) not
exceeding amounts appropriated from Federal Funds – American
Recovery and Reinvestment Act in all appropriations bills passed
for FY 2010. If expenditures in this line item from Federal Funds
– American Recovery and Reinvestment Act exceed amounts
appropriated to this line item from Federal Funds – American
Recovery and Reinvestment Act in FY 2010, the Division of
Finance shall reduce the General Fund allocations to this line item
by one dollar for every one dollar in Federal Funds – American
Recovery and Reinvestment Act expenditures that exceed Federal
Funds – American Recovery and Reinvestment Act appropriations.

ITEM 14C To Department of Health – Epidemiology and
Laboratory Services

From Federal Funds – American Recovery and Reinvestment
Act 134,400

Schedule of Programs:

Director’s Office 134,400

All General Funds appropriated to the Department of Health –
Epidemiology and Laboratory Services line item are contingent

upon expenditures from Federal Funds – American Recovery and Reinvestment Act (H.R. 1, 111th United States Congress) not exceeding amounts appropriated from Federal Funds – American Recovery and Reinvestment Act in all appropriations bills passed for FY 2010. If expenditures in this line item from Federal Funds – American Recovery and Reinvestment Act exceed amounts appropriated to this line item from Federal Funds – American Recovery and Reinvestment Act in FY 2010, the Division of Finance shall reduce the General Fund allocations to this line item by one dollar for every one dollar in Federal Funds – American Recovery and Reinvestment Act expenditures that exceed Federal Funds – American Recovery and Reinvestment Act appropriations.”

11. Page 5, Line 156

After Line 156 insert:

“ITEM 15A To Department of Human Services – Division of Aging and Adult Services

From Federal Funds – American Recovery and Reinvestment Act 123,500

Schedule of Programs:

Non–Formula Funds 123,500”

12. Page 5, Line 175

Delete “9,000,000” and insert “9,600,000”

13. Page 5, Line 177

Delete “9,000,000” and insert “9,600,000”

14. Page 5, Line 182

After Line 182 insert:

“SNOW COLLEGE

ITEM 20A To Snow College – Education and General

From Federal Funds – American Recovery and Reinvestment Act 2,000,000

Schedule of Programs:

Education and General 2,000,000

DIXIE STATE COLLEGE

ITEM 20B To Dixie State College – Education and General

From Federal Funds – American Recovery and Reinvestment Act 500,000

Schedule of Programs:

Education and General 500,000”

and it is transmitted to the Senate for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 1003** was read the first time and referred to the Rules Committee.

On motion of Senator Killpack, under suspension of the rules, the Senate voted to lift **H.B. 1003** from Rules and place it at the top of the Second Reading Calendar.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 1003**, APPROPRIATIONS ADJUSTMENTS RELATED TO FEDERAL FUNDS, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Goodfellow	Greiner
Hillyard	Hinkins	Jenkins	Jones
Killpack	Knudson	Liljenquist	Mayne
Morgan	Niederhauser	Okerlund	Robles
Romero	Stephenson	Stowell	Valentine
Van Tassell	Waddoups		

Voting in the negative was: Senator
Madsen

Absent or not voting were: Senators

McCoy Urquhart

H.B. 1003 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, and at 4:15 p.m., the Senate sauntered.

The Senate was called to order at 4:30 p.m., with President Waddoups presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President:

May 20, 2009

The House passed, **1st Sub. S.B. 1001**, FOREST RESERVE FUND AMENDMENTS, by Senator R. Okerlund, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 1002**, LEGAL NOTICE AMENDMENTS, by Senator S. Urquhart, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 1003**, DISPOSITION OF REGISTRATION FEE REVENUES, by Senator S. Killpack, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 1004**, SUPPLEMENTAL APPROPRIATIONS ADJUSTMENTS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 1001, 1st Sub. S.B. 1002, S.B. 1003, and S.B. 1004 were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

President Waddoups appointed Senators David Hinkins, Stephen Urquhart, and Karen Mayne to wait upon the Governor and ask if he has any further business to bring before the Senate.

President Waddoups appointed Senators Margaret Dayton, Ralph Okerlund, and Brent Goodfellow to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator Dayton reported the House has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Mayne reported that his committee had notified the Governor. The Governor asked that the committee convey to the Senate that he has no further business to bring before the legislature.

On motion of Senator Killpack and at 4:40 p.m., the Senate adjourned sine die.

PAGE INDEX

H.B. 1001 — SUBDIVISION APPROVAL AMENDMENTS (<i>R. C. Webb</i>)	
Read for the first time and referred to the Rules Committee	5
Placed on calendar	5
Read the second and third time	12
Signed by the President and returned to the House	12
1st Sub. H.B. 1002 — CONDITIONS FOR REQUESTING AND DISCLOSING INFORMATION UNDER EMPLOYMENT SELECTION PROCEDURES ACT (<i>W. Harper</i>)	
Read for the first time and referred to the Rules Committee	8
Placed on calendar	8
Read the second and third time	13
Signed by the President and returned to the House	13
H.B. 1003 — APPROPRIATIONS ADJUSTMENTS RELATED TO FEDERAL FUNDS (<i>R. Bigelow</i>)	
Read for the first time and referred to the Rules Committee	17
Placed on calendar	17
Read the second and third time	17
Signed by the President and returned to the House	17
S.B. 1001 — FOREST RESERVE FUND AMENDMENTS (<i>R. Okerlund</i>)	
Read the first time by short title and referred to the Rules Committee.	4
Placed on calendar	5
Read the second time	5
Substituted	5
1st Sub. S.B. 1001 — FOREST RESERVE FUND AMENDMENTS (<i>R. Okerlund</i>)	
Read the second and third time	5
Transmitted to the House	6
Signed by the President and transmitted to the Governor	18
S.B. 1002 — LEGAL NOTICE AMENDMENTS (<i>S. Urquhart</i>)	
Read the first time by short title and referred to the Rules Committee.	5
Placed on calendar	5
Read the second time	6
Substituted	6
1st Sub. S.B. 1002 — LEGAL NOTICE AMENDMENTS (<i>S. Urquhart</i>)	
Read the second and third time	6
Transmitted to the House	7
Signed by the President and transmitted to the Governor	18
S.B. 1003 — DISPOSITION OF REGISTRATION FEE REVENUES (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	5
Placed on calendar	5
Read the second and third time	7
Transmitted to the House	7
Signed by the President and transmitted to the Governor	18
S.B. 1004 — SUPPLEMENTAL APPROPRIATIONS ADJUSTMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	5
Placed on calendar	5
Read the second and third time	7
Transmitted to the House	8
Signed by the President and transmitted to the Governor	18